

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 6/24/08

RA-PTAH TAHARKA ALLEN  
LEONARD WALTERS ET AL et al

(In the space above enter the full name(s) of the plaintiff(s)/petitioner(s).)

07 Civ 8682 (RPP) ( )

- against -

NOTICE OF MOTION  
FOR A DEFAULT JUDGMENT

P.O. VINCIENT RUIZ

MEMO. ENDORSE.

(In the space above enter the full name(s) of the defendant(s)/respondent(s).)

PLEASE TAKE NOTICE that upon the annexed affirmation of RA-PTAH TAHARKA et al  
ALLEN affirmed (signed) on JUNE, 2, 2008, and upon the exhibits attached thereto, and upon  
the accompanying Memorandum of Law in support of this motion (delete if there is no Memorandum  
of Law), and upon the pleadings herein, plaintiff/defendant will move this Court, before  
HON. JUDGE PATTERSON, United States District/Magistrate Judge, for an order  
pursuant to Rule 55(b) of the Federal Rules of Civil Procedure granting a default judgment against  
defendant P.O. VINCIENT RUIZ.

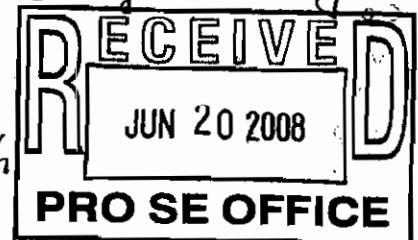
I declare under penalty of perjury that the foregoing is true and correct.

Signature RA PtaH Taharka Allen  
Address 1694 MADISON AVE apt 14 G. 10029 N.Y. N.Y.  
Telephone Number 1-212-300-4692  
Fax Number (if you have one)

Rev. 05/2007

Motion Denied.  
This court requires motions for default to be served on the  
defendant or his attorney. No affidavit of service of the  
motion accompanied this motion.

20 ordered  
J. P. Patterson  
USDC  
6/23/07



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

RA PTAH TAHARKA ALLEN

LEONARD WALTERS ET AL

(In the space above enter the full name(s) of the plaintiff(s)/petitioner(s).)

07 Civ 8682 ( ) ( )

- against -

P.O. VINCIEN RUIZ,

## AFFIRMATION

(In the space above enter the full name(s) of the defendant(s)/respondent(s).)

Plaintiff RA PTAH TARHAQA ALLEN, proceeding *pro se*, hereby affirms  
(name of plaintiff)  
under penalty of perjury that the following is true:

1. This action was commenced on OCT, 9 FEB 22, 2008 by the filing  
(date complaint was filed)  
of a complaint and the issuance of a summons.
2. The summons and complaint in this action were served on defendant VINCIEN RUIZ,  
(name of defendant)  
by serving VINCIEN RUIZ personally by mail on 4-28-08, 2008  
(name and title of person served) (circle one) (date defendant was served)  
at PSA#51221 east 123 st n.y. 10035. The original summons and  
(address where served)  
affirmation of service were filed with the Court on OCT, 9, 2007.  
(date return of service was filed with the court)  
As proof of service, a copy of the summons, the complaint, the affirmation of service and  
the docket sheet are attached to this affirmation.
3. The time to respond to this complaint has expired, and the defendant has not answered  
or made a motion, nor has defendant been granted an extension. Defendant is now in default.
4. The defendant is not an infant or an incompetent person, nor is the defendant serving  
in the United States Armed Forces.
5. This Court has jurisdiction over this matter by virtue of 18 . USC , 241 .  
(state the federal statute which  
42 . USC . 1983 .  
permits you to bring the case in federal court)

6. By reasons of the foregoing, plaintiff believes s/he has good and meritorious causes of action against defendant.

7. In the attached complaint, demand was made for damages in the amount of \$ 3 mill. This sum is now justly due and owing, and no part of it has been paid. In addition, plaintiff seeks interest on this sum since the date the complaint was served. Plaintiff also seeks disbursements in the amount of \$ 3 mill.

*Note: This paragraph should be included only if you have stated a specific amount of monetary damages in your complaint. If you have not specified an amount of monetary damages in your complaint, you should cross out this paragraph.*

**I declare under penalty of perjury that the foregoing is true and correct.**

Signed this MON day of JUNE, 2008.

Signature of Plaintiff

Rev. D. John Takovka Allen et al.

Mailing Address

1694 MADISON AVE apt, 14G

N.Y N.Y 10029

Telephone Number

1-212-300-4692

Fax Number (if you have one) \_\_\_\_\_

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

RA PTAH TAHARKA ALLEN

LEONARD WALTERS ET AL

(In the space above enter the full name(s) of the plaintiff(s)/petitioner(s).)

07 Civ. 8682 ( ) ( )

- against -

A.O. VINCENT RUIZ

STATEMENT OF DAMAGES

(In the space above enter the full name(s) of the defendant(s)/respondent(s).)

Principal amount sued for ....3million\$......\$ , 3

Interest<sup>1/</sup> at 3 % from JUNE 1 , 2007 through JUNE 2 , 2008 .....\$

Costs and Disbursements

Filing fee for this action.....\$

Process Server fee for service, if any.....\$

Total (as of , 2008\*).....\$

Rev. 05/2007

<sup>1/</sup> The United States Federal Reserve Board releases the H.15 Selected Interest Rates table which provides the most current interest rate. This table may be found on the Southern District of New York's website, [www.NYSD.USCOURTS.GOV](http://www.NYSD.USCOURTS.GOV).

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

RA PTAH TAHARKA ALLEN

~~LEONARD WALTERS, ET AL~~  
(In the space above enter the full name(s) of the plaintiff(s)/petitioner(s).)

07 Civ. 8682 ( ) ( )

- against -

P.O. VINCIEN RUIZ

CLERK'S CERTIFICATE

(In the space above enter the full name(s) of the defendant(s)/respondent(s).)

I, **J. MICHAEL McMAHON**, Clerk of the United States District Court for the Southern District of New York, do hereby certify that this action commenced on 2/22, 2008 with the filing of a summons and complaint, a copy of the summons and complaint was served on defendant by serving Lt Fontana personally by mail on 4/28, 2008 and proof of service was filed with the Court on 5/11, 2008.  
(name and title of person served) (circle one) (date defendant was served)  
(date return of served was filed with the Court)

I further certify that the docket entries indicate that the defendant has not filed an answer or otherwise moved with respect to the complaint herein. The default of the defendant is hereby noted.

DATED: New York, New York  
June 20, 2008

J. Michael McMahon  
J. MICHAEL McMAHON  
Clerk of Court

By: [Signature]  
Deputy Clerk

**ORDERED, ADJUDGED and DECREED** that plaintiff have judgment against defendant in the liquidated amount of \$ 3 million with interest at the rate of     % from JUNE 1, 2007 through JUN 2 2008 amounting to     plus costs and disbursements of this action in the amount of \$    .

(date) (date of entry of the judgment)

*Note: The above paragraph should be included only if you have stated a specific amount of monetary damages in your complaint. If you have not specified an amount of monetary damages in your complaint, you should cross out this paragraph, but include the following paragraph.*

**ORDERED, ADJUDGED and DECREED** that this matter be referred to United States Magistrate Judge \_\_\_\_\_, for an inquest to determine the amount of damages sustained by plaintiff including interest and costs, and that the Court shall enter judgment accordingly.

*Note: The above paragraph should be included only if you have not stated a specific amount of monetary damages in your complaint. If you have specified an amount of monetary damages in your complaint, you should cross out this paragraph, but include the preceding paragraph.*

\_\_\_\_\_  
United States District Judge

DATED: New York, New York  
\_\_\_\_\_, 20\_\_



U.S. Department of Justice  
United States Marshals Service**PROCESS RECEIPT AND RETURN**  
See Instructions for "Service of Process by the U.S. Marshal"  
on the reverse of this form.

PLAINTIFF <u>RAPTAH TARHAGA Allen ET AL</u>		COURT CASE NUMBER <u>07 CIV 8682</u>
DEFENDANT <u>P.O. VINCENT, RUIZ SA# 10766</u>		TYPE OF PROCESS <u>Summons/complaint</u>
<b>SERVE</b> ➡	NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC., TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN <u>P.O. VINCENT, RUIZ</u>	
	ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code) <u>P.S.A. 5<sup>th</sup> 221 EMT 123<sup>rd</sup> ST. N.Y. 10035</u>	
<b>AT</b>		
SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW:		
<u>1694 MADISON AVE</u>		
<u>APT 146 10029 N.Y. N.Y.</u>		
<u>RAPTAH TARHAGA Allen</u>		
Number of process to be served with this Form - 285		<u>1</u>
Number of parties to be served in this case		<u>4</u>
Check for service on U.S.A.		

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available For Service):

Fold

Fold

Signature of Attorney or other Originator requesting service on behalf of:

☒ PLAINTIFF  
☐ DEFENDANT

TELEPHONE NUMBER

DATE

Rah Prah Tarhaga Allen360-46922.26.08**SPACE BELOW FOR USE OF U.S. MARSHAL ONLY — DO NOT WRITE BELOW THIS LINE**

I acknowledge receipt for the total number of process indicated. (Sign only first USM 285 if more than one USM 285 is submitted)	Total Process	District of Origin	District to Serve	Signature of Authorized USMS Deputy or Clerk	Date
	<u>2</u>	No. <u>521</u>	No. <u>521</u>		

I hereby certify and return that I ☐ have personally served, ☐ have legal evidence of service, ☐ have executed as shown in "Remarks", the process described on the individual, company, corporation, etc., at the address shown above or on the individual, company, corporation, etc., shown at the address inserted below.☐ I hereby certify and return that I am unable to locate the individual, company, corporation, etc., named above (See remarks below)

Name and title of individual served (if not shown above)

LT. FORTIN☒ A person of suitable age and discretion then residing in the defendant's usual place of abode.

Address (complete only if different than shown above)

Date of Service

Time

am

1:00 pm

Signature of U.S. Marshal or Deputy

[Signature]

Service Fee	Total Mileage Charges (including endeavors)	Forwarding Fee	Total Charges	Advance Deposits	Amount owed to U.S. Marshal or	Amount of Refund
<u>45.00</u>	<u>6.00</u>		<u>51.00</u>			

REMARKS:

Sent out for mail service on 2/26/08, no response.  
Set up for ESI/Service on 4/21/08.**NOTE**PRIOR EDITIONS  
MAY BE USED**3. NOTICE OF SERVICE**

FORM USM-285 (Rev. 12/15/00)